IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16542 of 2004

Between:

K. Appa Rao, S/o. Late Sri Thavitaiah,
APSRTC Palakonda Depot, Palakonda, Srikakulam District.

..... PETITIONER

AND

1 A.P.S.R.T.C., Musheerabad, Hyderabad.
rep by its Managing Director
2 The Regional Manager, A.P.S.R.T.C., Srikakulam Region,
Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the nature of Writ of Mandamus or any other appropriate writ (i) declare the action of the respondents in not promoting the petitioner to the post of Dept Clerk/Traffic Inspector Grade-III/Ticket Traffic Inspector on the basis of the seniority in the final seniority list of the ADC and Controllers published vide notification No. P1/752(1)/2000-RM: SKLM dated 17-7-2000 as illegal and arbitrary and consequently direct the respondents to promote the petitioner to the post of Traffic Inspector Grade III/Depot Clerk on par with his Juniors (ii) declare the office order No. P1/255(18)/2003/RM/SKLM dated 28-7-2004 promoting the Juniors in preference to petitioner as illegal and arbitrary iii) consequently direct the respondents to promote the petitioner to the post of Assistant Depot Clerk from the date on which his juniors were promoted with all consequential benefits attached to the post and pass

Counsel for the Petitioner :MR.G.VIDYASAGAR

Counsel for the Respondents : KUM.B.G.UMA DEVI

The Court at the stage of admission made the following **ORDER**:

The petitioner is working as an Assistant Depot Clerk in the respondent-Corporation. He submits that he joined in the Corporation as a conductor on 07-02-1979. Subsequently, he was promoted as a Controller through the proceedings dated 22-03-1990, but he was not relieved from the post of Conductor. Therefore, he filed the Writ Petition No.2790 of 1991 praying the Court to direct the respondents to give effect to the promotion order dated 22-03-1990. Subsequently, he was relieved through the proceedings dated 04-06-1991 and he has been working as a Controller from 04-06-1991. The petitioner further submits that he is eligible for further promotion to the post of Depot Clerk / Traffic Inspector Grade-III / Traveling Ticket Inspector. Though, the respondents promoted his juniors in the year 2000, he was not considered for promotion. In the year 2004 also, the respondents promoted other employees who are juniors to him. Subsequent to those promotions, the petitioner made a representation to the respondent Corporation on 02-08-2004 to furnish him the final seniority list dated 17-07-2000. On furnishing the final seniority list, he noticed that his name was shown as Serial No.1 in the seniority list. He submitted a representation on 09-07-2004 to the second respondent requesting to consider him for promotion to the post of Traffic Inspector, Grade-III, but no action was taken against the said representation. The petitioner, therefore, approached this Court through this Writ Petition seeking to direct the respondents to promote him as a Traffic Inspector, Grade – III in pursuance of the representation made by him on 09-07-2004.

The seniority list discloses that the petitioner is shown, as Serial No.1, but it is not known as to why he was not considered for promotion while giving promotions to his juniors. It may be appropriate if the respondents are directed to pass appropriate orders on the representation of the petitioner dated 09-07-2004 regarding his claim for promotion.

Having regard to the above facts and circumstances placed by the petitioner, the second respondent is hereby directed to pass appropriate orders on the representation of the petitioner dated 09-07-2004 regarding his request for promotion as a Traffic Inspector Grade-III within two months from the date of receipt of a copy of this Order.

The Writ Petition is accordingly disposed of. No order as to

costs.

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Dr. G.Yethirajulu, J.

Dt: 5th October, 2004.

Rns.

To

1. The Managing Director,

A.P.S.R.T.C., Musheerabad, Hyderabad.

2. The Regional Manager, A.P.S.R.T.C., Srikakulam Region,
   Srikakulam District.

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